

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MARCH 6, 2006

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, March 6, 2006 at 7:07 p.m., with Mayor Leiken presiding.

Mayor Leiken introduced Tim Freeman, City Councilor from Roseburg who was present in the audience. Mr. Freeman introduced Roseburg Fire Chief Jack Cooley who was also present in the audience.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Fitch, Ralston, Lundberg, Woodrow, and Pishioneri. Also present were Interim City Manager Cynthia Pappas, City Attorney Joe Leahy, Finance Director Bob Duey, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. Springfield High School Cheerleaders Recognition.

Mayor Leiken recognized the Springfield High School Cheerleading Squad following their first place finish in the OSAA State Cheerleading Championship. He proclaimed today Springfield Cheerleaders Day and gave each member of the squad a copy of the proclamation. The Springfield Cheerleading Squad performed a short cheer.

Councilor Ralston said his daughter was a member of the squad several years ago when they won several championships.

2. Recognition of Bruce Hocking, Springfield Fire and Life Safety, for 25 Years of Service to the City of Springfield.
3. Recognition of John McDowell, Springfield Fire and Life Safety, for 25 Years of Service to the City of Springfield.
4. Recognition of Joseph Wicks, Springfield Fire and Life Safety, for 25 Years of Service to the City of Springfield.

Interim City Manager Cynthia Pappas recognized Bruce Hocking, John McDowell and Joe Wicks for their years of service with the City of Springfield. She noted their many accomplishments over the years with the City and accomplishments prior to their service with the City. She noted comments from Fire Chief Smith about each firefighter.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR WOODROW, WITH A SECOND BY COUNCILOR LUNDBERG, TO APPROVE THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

1. Claims

2. Minutes

- a. February 13, 2006 – Work Session
- b. February 21, 2006 – Work Session
- c. February 21, 2006 – Regular Meeting

3. Resolutions

4. Ordinances

- a. ORDINANCE NO. 6155 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS SUMMERS DEVELOPMENT LOCATED IN NORTHWEST SPRINGFIELD, EAST OF GAME FARM ROAD, SOUTH OF DEADMOND FERRY ROAD, WEST OF BALDY VIEW DRIVE AND INVOLVING APPROXIMATELY .43 ACRES, IDENTIFIED AS TAX LOT 1500 T17S R03W S15 MAP 40; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- b. ORDINANCE NO. 6156 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS MYERS/ROGERS, LOCATED IN SOUTHWEST SPRINGFIELD, NORTH OF KELLOGG ROAD, EAST OF ANDERSON STREET, WEST OF OAK MEADOWS PLACE AND ASPEN STREET AND INVOLVING APPROXIMATELY .52 ACRES, IDENTIFIED AS TAX LOT 916 T17S R03W S34 MAP 22; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- c. ORDINANCE NO. 6157 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS SYMANTEC CORPORATION, LOCATED IN NORTHWEST SPRINGFIELD, NORTH OF GAME FARM ROAD EAST, SOUTH OF INTERNATIONAL WAY, EAST OF GAME FARM ROAD NORTH/GATEWAY STREET AND INVOLVING APPROXIMATELY 14.68 ACRES IDENTIFIED AS TAX LOTS 500, 600, AND 800 T17S R03W S15 MAP 30; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.
- d. ORDINANCE NO. 6158 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS PRODEN LOCATED IN NORTH SPRINGFIELD, NORTH OF YOLANDA AVENUE AND DELOSE AVENUE, WEST OF GRAND VISTA DRIVE, WEST AND EAST OF VERA STREET AND INVOLVING APPROXIMATELY 5.45 ACRES IDENTIFIED AS TAX LOT 500 T17S R03W S24

MAP 31; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE RAINBOW WATER DISTRICT.

- e. ORDINANCE NO. 6159 – AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY KNOWN AS DND LAND COMPANY LLC, LOCATED IN GLENWOOD REGION OF SOUTHWEST SPRINGFIELD, SOUTH OF JUDKINS ROAD, NORTH OF INTERSTATE 5 AND INVOLVING APPROXIMATELY 0.34 ACRE IDENTIFIED AS PART OF TAX LOT 600, T17S R03W S33 MAP 44; HERETOFORE ANNEXED TO THE CITY OF SPRINGFIELD FROM THE GLENWOOD WATER DISTRICT.
- f. ORDINANCE NO. 6160 – AN ORDINANCE VACATING A TEN-FOOT WIDE PORTION OF Q STREET IN THE CITY OF SPRINGFIELD, LANE COUNTY OREGON.

5. Other Routine Matters

- a. Approve the Award for Engineering Services Contracts for Assistance with Public Works Land Development Section to Branch Engineering for an Amount Not to Exceed \$60,000 and to Balzhiser & Hubbard Engineers for an Amount Not to Exceed \$60,000.
- b. Authorize the City Manager to Sign Amendment No. 1 to the Intergovernmental Agreement (IGA) with Lane County for Right-of-Way Acquisition.
- c. Authorize the City Manager to Sign a Contract Extension with Paradise Media for the Annual FireMed Ambulance Membership Advertising Campaign for a Total Cost Not to Exceed \$51,481.30.
- d. Approval of the Liquor License Endorsement for Center Market , Located at 7095 Main Street, Springfield, OR.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS

1. Public Hearing and Adoption of One Ordinance and One Resolution Amending Fees for 2006.

Budget Officer Bob Brew presented the staff report on this item. The Resolution and Ordinance being presented pertain to a variety of fees throughout the city that are recommended by the 2005 annual review of fees for amending. The purpose of the annual review is to ensure that the amount charged for services at the city will continue to meet the Council adopted guidelines for cost recovery.

The annual review has been completed. To address the City's increased cost of providing services, changes are recommended for certain fees contained in the Building Safety Code and in the Master Schedule of Miscellaneous Fees, Charges, Rates and Licenses.

Mr. Brew referred to the Council Briefing Memorandum included in the Agenda Packet and noted some of the new fees that were included. At the direction of Council, staff prepared a schedule of proposed changes to the Planning Application Fees (as authorized by the Springfield

Development Code) designated to recover 75 percent of plan review costs, in the aggregate. This schedule was listed as Exhibit B of Attachment C.

ORDINANCE NO. 7 – AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD AMENDING Article 1, “SPRINGFIELD BUILDING CODE ADMINISTRATIVE CODE” OF THE SPRINGFIELD DEVELOPMENT SERVICES DEPARTMENT; COMMUNITY SERVICES DIVISION BUILDING SAFETY CODES” (FIRST READING).

NO ACTION REQUESTED. FIRST READING ONLY.

RESOLUTION NO. 06-06 – A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING THE MASTER SCHEDULE OF MISCELLANEOUS FEES AND CHARGES, RATES, PERMITS, AND LICENSES.

Mayor Leiken opened the public hearing.

1. Fred Simmons, 312 South 52nd Place, Springfield, OR. Mr. Simmons said the gentleman from Roseburg had a list of the fees and charges that the Fire Department in Roseburg charged. He discussed the First Response Fee and a letter from Corkey Gourley recommending a charge for response to vehicle calls that could be billed to the insurance carriers. Roseburg charged a response fee for vehicular fires as well. Mr. Simmons suggested Springfield look at some of those costs that could be collected from the insurance carriers as part of the insured's policy. He discussed the indirect fees and Article 11 and the fact that we may be collecting more fees than we should. He said Mr. Gourley's estimate was that if those charges were billed to the insurance carrier, it could bring in about \$200,000+ a year for Fire and Life Safety (F&LS).

Mayor Leiken closed the public hearing.

Councilor Woodrow said he thought the increase in FireMed fees was to be \$55.00 rather than \$52.00.

Discussion was held regarding the survey results which resulted in the suggestion to raise the fee to \$52.00 a year rather than \$55.00 due to concern of losing membership with the higher rate.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 1 WITH FIREMED REMOVED.

Councilors discussed the timeline, including the advertising campaign for FireMed which was ready to go out in print with the \$52.00/month listed.

Mr. Leahy noted that the public hearing had been noticed with the FireMed cost at \$52.00 and if they wanted to raise it to \$55.00, they would need to postpone this and notice a new public hearing with all fees, including the new FireMed fee of \$55.00.

COUNCIL WOODROW WITHDREW HIS MOTION. COUNCILOR LUNDBERG WITHDREW HER SECOND.

Further discussion ensued regarding the survey results and the fee.

Deputy Fire Chief John Garitz addressed Councils' questions regarding the timing of the advertising campaign for FireMed, the survey results and the amount of additional funding that could be brought in with the membership at \$55.00 rather than \$52.00. He discussed the risk of losing some members by increasing it to \$55.00 a year.

Councilor Pishioneri suggested proceeding forward at \$52.00 a year and looking at it again next year for a possible increase to \$55.00.

Councilor Fitch said she agreed to proceed and look at it again in September to see what affect raising it to \$52.00 may have caused. She said she would also like staff to look at the suggestion about the fee to be charged to insurance carriers. With information on both of those, staff could bring this back to Council in January and they could have a more realistic picture.

Councilor Pishioneri discussed the survey question about the raise in the annual membership and asked that staff consider doing another survey after this year's membership asking how much people would pay extra (\$5, \$10, etc.) to not lose FireMed.

Ms. Pappas said a similar survey with that question could be conducted before the next presentation to council. They would work with a professional survey company to draft the question appropriately.

Councilor Woodrow suggested the survey explain the cost of ambulance service without FireMed or insurance, which was about \$900 per call.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 06-06 WITH THE FIREMED FEES REMOVED FOR A SEPARATE VOTE. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Request from Symantec Corporation to Vacate Partition Plat Lines on Private Property Located at 555 International Way in the City of Springfield.

City Planner Jim Donovan presented the staff report on this item. The applicants initiated the partial plat vacation in accordance with the requirements of Section 9.010 of the Springfield Development Code. On February 7, 2006, the Springfield Planning Commission unanimously adopted a recommendation for approval of this request based upon Staff's findings and conditions in accordance with Section 9.030 of the Code. If the Council agrees with the Planning Commission recommendation, the attached Ordinance can be adopted by motion and vote.

The owners are currently constructing a building addition doubling the footprint of the existing call center. The proposed vacation of partition plat lines is requested to in order to meet setbacks from property lines as required by site plan conditions of approval and building codes. The vacation will result in a reduction in the number of lots on site from four (4) to two (2), but will not reduce the square footage of the development area.

The proposed vacation is limited to portions of the plat located on private property; no disposition of public property is requested and no loss of public benefit would occur as demonstrated in the attached staff report and findings.

Mr. Donovan said he was available for questions as was the Project Manager for Symantec, Zack Wilson from Sares/Regis.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

ORDINANCE NO. 7 – AN ORDINANCE VACATING PARCEL 2 OF THE FOLLOWING PARTITION PLATS: 94-PO498, 94-PO499 AND 94-PO500, AS LOCATED AT 555 INTERNATIONAL WAY IN THE CITY OF SPRINGFIELD AND FILED IN THE LANE COUNTY OREGON PLAT RECORDS (FIRST READING).

NO ACTION REQUESTED. FIRST READING ONLY.

BUSINESS FROM THE AUDIENCE

1. Tony Mills, 855 A Street, Springfield, OR. Mr. Mills discussed an incident that occurred last year that had ruined two lives by the Springfield Police. The incident involved the shooting death of a teenage boy fleeing from Police. Mr. Mills asked about the ‘three shells’ rule and asked why that was no longer a rule for law enforcement. He said there was a problem in our society. He explained the ‘three shells’ rule.

Mayor Leiken said the decision regarding this case was made by the District Attorney’s office.

Ms. Pappas said the matter Mr. Mills was referring to was under a Civil Suit and the City was not allowed to speak to it during a public meeting. She said Mr. Mills and Police Chief Smith could have a separate conversation about the three shells issue.

2. David Sonnichsen, 2435 Skyline Blvd, Eugene, OR Mr. Sonnichsen said he was the Chair of the Citizens Planning Committee for the Whilamut Natural Area/Alton Baker Park. He said the committee consisted of five Springfield members and ten Eugene members and they all got along well. He said it was a privilege to speak before Council in a democratic process. Mr. Sonnichsen said he looked at the ODOT sheets compiled with CH2M Hill regarding the I-5/Franklin Interchange. He noted the total number of comment sheets filled out was 173. He said the most common comment was “Preferred Category 4 – Retrofit or Rebuild of Glenwood Interchange. He noted the other comments and the number of people who marked those comments. He said he would send a list of the comments he referred to in an email.
3. David Schnelli, 2420 Otto Street, Springfield, OR. Mr. Schnelli said he was a Glenwood business owner, and had paid attention to the I-5/Franklin Interchange discussions. He noted an idea of his regarding this interchange. The idea would provide connections within the Metro Area including Glenwood, I-5, UofO, Centennial and more and could be discreet. He said the method was affordable. His suggestion was to connect Franklin Boulevard to

Centennial Boulevard and on the north side of the river, provide access to I-5. He provided a map with his suggestion.

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

1. Correspondence from Jeff Kronser, President, Springfield Professional Fire Fighters, Local 1395, P.O. Box 902, Springfield, OR Regarding First Response Fees.
2. Correspondence from Bill Dwyer, Chair, Lane County Board of Commissioners, 125 East 8th Avenue, Eugene, OR Regarding the Site Options for the Springfield Justice Center Project.
3. Correspondence from Thomas Draggoo, President, Springfield Renaissance Development Corporation (SRDC), P.O. Box 841, Springfield, OR Regarding Further Study for an I-5/Franklin Interchange.
4. Correspondence from Rob and Deb Merrill-Colberg, 150 West D Street, Springfield, OR Regarding a Jail Funding Proposal.
5. Correspondence to Elaine Brong, State Director of the Bureau of Land Management and CC'd to the Springfield Mayor and City Council from Larry Reed, JRH, 4765 Village Plaza Loop, Suite 201, Eugene, OR Regarding the West Eugene Parkway (WEP).
6. Correspondence from Shirley Miller, 3252 Montebello Ave., Springfield, OR Regarding the Council's Decision on the Rabies Reporting Ordinance.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BIDS

ORDINANCES

1. Rewards in Connection with Damage to City Property.

Maintenance Manager Ed Black presented the staff report on this item. Current Springfield Municipal Code provides for a \$200 reward for information or assistance leading to the arrest and conviction of anyone guilty of destroying or damaging any tree, shrub or plant in a public place. Last October eleven street trees on 30th Street, south of Commercial were vandalized and destroyed. The total cost of this incident was approximately \$5,000. Although a notice of the incident and the "reward for information" was released to the media, no information was forthcoming and no one was arrested. Subsequently staff reviewed the existing Code. The attached ordinance reflects this review. Staff proposes to: (1) increase the reward from \$200 to an amount not to exceed \$1,000; (2) authorize Council, by resolution, to offer a greater reward as it deems appropriate; and (3) expand coverage of the existing Code from public vegetation to other City property, such as buildings, vehicles, etc.

The ordinance also contains a provision which permits the municipal court to order the defendant to reimburse the City for the reward money paid which resulted in the apprehension of the defendant. Thus, this ordinance should have little, if any, adverse financial impact on the City.

In conjunction with revisions to the Municipal Code planned for April 2006, the City Attorney will provide for the repeal of Section 5.262 (Damage to Shrubs and Trees).

Councilor Pishioneri asked if the City sought restitution for damage to City property.

Mr. Leahy said this was a new ordinance. He said it only applied in criminal matters.

Councilor Pishioneri said he would support this ordinance if the City sought restitution in criminal cases, in small claims court and whenever possible.

Mr. Leahy addressed those areas Councilor Pishioneri asked about and noted that in some cases, the legal fees may be more than the amount recovered. He said the ordinance was written in accordance with what the state allowed.

Councilor Ballew said she agreed that restitution should be sought, unless it cost more to recover than the amount recovered.

Mr. Leahy said he would include that in the information he brought back when they returned for the second reading and adoption of the ordinance.

Councilor Pishioneri said it could be turned over to a collection agency.

ORDINANCE NO. 8 – AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE COUNCIL TO OFFER REWARDS IN CONNECTION WITH DAMAGE TO CITY PROPERTY, AND ADDING SECTIONS 5.800 THROUGH 5.808 TO THE SPRINGFIELD MUNICIPAL CODE (FIRST READING).

NO ACTION REQUESTED. FIRST READING ONLY.

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments
2. Business from Council
 - a. Committee Reports
 1. Councilor Woodrow said he enjoyed his trip to Washington DC, and was able to meet with Senator Smith, Senator Wyden and Congressman DeFazio. Unfortunately, there was bad news from the Corps of Engineers regarding funding. The Corps said because they considered the Millrace to be under construction, it brought it up on their agenda. The Appropriations Committee, however, said the Corps had misinterpreted that, so Springfield's lobbyists would continue to look into that. Councilor Woodrow felt that progress was made in facilitating relationships with Mayor Piercy and other Eugene and Lane County elected officials. Councilor Woodrow said he appreciated having Mike Kelly along as well.
 2. Mayor Leiken asked for a formal motion to draft a letter for Region 2050 to go out as soon as possible under the signature of Mayor Leiken and Councilor Lundberg.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO DRAFT AND SEND A LETTER TO THE REGION 2050 STAFF FROM MAYOR LEIKEN AND COUNCILOR LUNDBERG WITHDRAWING SPRINGFIELD FROM THE REGION 2050 PROCESS. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY MANAGER

1. Rosa Parks Bike Path.

Transportation Manager Nick Arnis presented the staff report on this item. He introduced Mr. Ken Raymen who was in the audience. At the January 17 Council session under Business from the Audience, Mr. Ken Raymen requested the City Council consider naming the Pioneer Parkway multi-use path after the late Rosa Parks. Staff contacted Mr. Raymen about his idea and discussed his four points, which are contained in his attached letter, about naming the path after Rosa Parks. In summary, Mr. Raymen's letter says that a Rosa Parks path would connect with the Martin Luther King Jr. Parkway, that people walking along the path would be reminded of the bus boycotts, the path could serve as an educational tool because it will be close to local schools, and when the EmX is located along this corridor perhaps Land Transit District (LTD) could decorate the buses at certain times of the year with reminders of the civil rights movement. The City does not have a naming convention or formal process for naming bike paths. For reasons of identification during a project, funding requests, or identifying an off road multi-use path, staff will name and sign a path. The cost for locating simple "Rosa Parks" name signs along the Pioneer Parkway path similar to the signs along the new 42nd Street multi-use path is nominal. A larger information type sign (an example is in Attachment B) is estimated to cost \$3,000. Therefore, staff believes about \$3,500 is needed for small signs and a larger information sign; these funds are budgeted in the Bicycle Program under materials and supplies for similar types of expenses.

Councilor Ballew asked about the costs involved with naming the path.

Mr. Arnis said the cost could be as little as a few hundred dollars to nearly \$3500 for signage. He referred to photos included in the agenda packet that were examples of different signage and approximate costs.

Councilor Pishioneri confirmed it was a bike path only.

Councilor Fitch said she would support this if a motion was made, but she would suggest that an avenue be considered, either through TEAM Springfield or something else, to determine who should be recognized when naming streets, parks and paths. She said there needed to be a way to look at opportunities and have an organized way to go through the process. She said often things were named after national figures, but she said it was important not to forget some of the local heroes that had given so much to the City.

Councilor Lundberg agreed that a mechanism should be in place and felt TEAM Springfield was the appropriate venue to carry that out. She said the signage should be similar to that noted in the agenda packet for the McKenzie Levy type of sign. She referred to the Ruth Bascom trail

signage. She said it could be the smaller signage with a uniform look matching other local signs for parks and paths.

Councilor Ballew agreed. She said it could be beneficial to put together an advisory committee to talk about whom to honor and put together parameters. She was supportive of naming this path the Rosa Parks Pathway, but agreed it would be good to have a plan in place for future opportunities.

Mayor Leiken discussed going through some City committees that were not currently active. He said he also agreed that TEAM Springfield could be a good venue.

Councilor Ballew noted concern that TEAM Springfield only met once or twice a year.

Councilor Fitch said this could occur in the TEAM Springfield monthly meetings.

Mayor Leiken asked Ms. Pappas to add it to the next TEAM Springfield agenda.

Councilor Ralston said he would not support naming this path without a process in place. He said he would rather postpone naming it until it had gone through a public process. He said he felt this had been sprung upon Council with no public input. He said he didn't disapprove of the name, but of the process.

Councilor Woodrow said he understood, but pathways were not normally named in Springfield. He said he thought it was a great opportunity to recognize the sacrifices and work of Rosa Parks without changing the name of an existing street or naming a new street. He noted that naming of new streets had no public input and were generally named by the developer. He appreciated Councilor Ralston's comment, but felt it was the right thing to do.

Councilor Pishioneri said he would like to see a community group contribute some funds for the signs. If there was no community group that would come forward with funding for the signs, that could be an indication that it was not supported.

Ms. Pappas asked if Council would like her to include that request to the TEAM Springfield partners. Yes.

Councilor Lundberg said that since it started in downtown and TEAM Springfield had earmarked some funds for downtown as a TEAM Springfield project, some of those funds could be used.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE NAMING THE PIONEER PARKWAY MULTI-USE PATH AS THE ROSA PARKS MULTI-USE PATH. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 1 AGAINST (RALSTON).

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

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Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder